

Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BARRY CHRISTIANSON; ALVIN FISCHER;
REV. MARK GALLAGHER; JUANITA
GREENWAY; HELEN HEWITT; JORDIS I.
JENSEN; JON JORDENS; PAUL KING;
NANCY MCCARTER; RALPH K. OLSEN;
BEVERLY SCHWARTZ; WILLIAM HUGH
SHUFORD; AND PAUL L. WHITING,

Plaintiffs,

vs.

MICHAEL O. LEAVITT, Secretary of Health
and Human Services, in his official capacity,
and in his individual capacity; INSTITUTE
FOR YOUTH DEVELOPMENT; and
NORTHWEST MARRIAGE INSTITUTE,

Defendants.

Case No. CV 06-05520 FDB

**STIPULATION AND ORDER
REGARDING MOTION FOR
EXPEDITED DISCOVERY AND
BRIEFING SCHEDULE ON
PRELIMINARY INJUNCTION
MOTION AND MOTIONS TO
DISMISS AND/OR OTHER
DISPOSITIVE MOTIONS**

STIPULATION

The parties to this matter through their undersigned attorneys hereby stipulate and agree to entry of the subjoined Order as follows:

WHEREAS, plaintiffs filed a motion for expedited discovery on November 9, 2006;

WHEREAS, defendants do not oppose the expedited discovery on the terms stated herein, but the parties have agreed that the requested documents will be produced to plaintiffs no later than December 22, 2006, and the requested depositions will occur on January 12, 2007;

WHEREAS, plaintiffs agree that defendants responses to the amended complaint will be due on January 25, 2007, which may include motions to dismiss and/or other dispositive motions;

WHEREAS, plaintiffs are willing to re-note their Preliminary Injunction motion to coordinate briefing on that motion and any motions filed by defendants on January 25, 2007,

NOW THEREFORE, the parties agree that plaintiffs' motion for preliminary injunction will be re-noted for February 16, 2007; defendants' response to the preliminary injunction motion will be due on January 25, 2007; plaintiffs' reply in support of the preliminary injunction motion, along with their response to any motion to dismiss and/or other dispositive motions filed on January 25, 2007, will be due on February 11, 2007; and defendants' reply in support of their motions to dismiss and/or other dispositive motions will be due on February 16, 2007. Accordingly, plaintiffs' preliminary injunction motion and any motions to dismiss and/or other dispositive motions filed by defendants on January 25, 2007, will be fully submitted to the Court on February 16, 2007.

:STIPULATED AND AGREED this ____ day of November, 2006.

PHILLIPS LAW GROUP, PLLC

COUNSEL FOR DEFENDANT
MICHAEL O. LEAVITT

/s/ John W. Phillips

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Attorney for Plaintiffs

/s/ W. Scott Simpson

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ORDER

Based on the Stipulation of the parties set forth above, and the records and files herein,
the Court hereby ORDERS as follows:

1. Plaintiffs' motion for expedited discovery is granted and shall take place in
accordance with the parties' stipulation;
2. Defendants' response to the amended complaint shall be due on January 25, 2007;
3. Plaintiffs' motion for preliminary injunction shall be re-noted for February 16,
2007;

4. Any motion to dismiss and/or other dispositive motions filed by defendants in response to the amended complaint on January 25, 2007, will be noted for February 16, 2007; and

5. The briefing schedule for the motions identified in paragraphs 3 and 4 above shall be pursuant to the parties' stipulation.

DATED this 27th day of November 2006.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

Presented by:

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Agreed as to Form and Notice of Presentation Waived:

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